

## Message Text

CONFIDENTIAL

PAGE 01 QUITO 00186 121705Z  
ACTION ARA-14

INFO OCT-01 ISO-00 DEAE-00 CIAE-00 INR-07 IO-13  
JUSE-00 NSAE-00 CTME-00 SNM-05 TRSE-00 USIA-06  
NSC-05 OES-07 OMB-01 L-03 /062 W  
-----129900 122147Z /61

R 121622Z JAN 78  
FM AMEMBASSY QUITO  
TO SECSTATE WASHDC 6878  
INFO AMCONSUL GUQUAQUIL

CONFIDENTIAL QUITO 0186

DEPARTMENT FOR S/NM

E.O. 11652: GDS  
TAGS: SNAR, EC  
SUBJECT: EXCHANGE WITH SUPREME COURT PRESIDENT ON NARCOTICS

REF: (A) 77 QUITO 6569; (B) 77 STATE 247726

1. BASED ON RESPONSE TO REF A CONTAINED IN REF B, AMBASSADOR SENT A LETTER TO PRESIDENT OF THE SUPREME COURT CESAR AUGUSTO DURANGO ON NOVEMBER 9. THAT LETTER INCLUDED EXPRESSION OF CONCERN LEST SUPREME COURT REVIEW SIMPLY RESULT IN SLOWER PROCESS OF JUSTICE, AND ALSO NOTED OUT VIEW THAT CURRENT GOE DRUG OFFENSE STATUTE IS RELATIVELY NEW AND PROBABLY DOES NOT NEED RADICAL REVISION.

2. AMBASSADOR HAS RECEIVED A RESPONSE FROM DURANGO, DATED JANUARY 4 THANKING HIM FOR HIS CONTRIBUTION. THE LETTER REITERATES DURANGO'S CONCERN OVER THE QUANTITY OF DRUG IN A SUSPECT'S POSSESSION WHICH WOULD PRODUCE PRESUMPTION OF TRAFFICKING. HE STATES THAT THE PROJECTED REFORMS HE SENT FORWARD TO THE GOE ESTABLISH MERE POSSESSION AS PRODUCING A PRESUMPTION OF INTENT TO COMMIT CRIME (PRESUMABLY TRAFFICKING), WHICH CAN THEN BE DISPROVED DURING THE

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 QUITO 00186 121705Z

JUDICIAL PROCESS. HE ALSO REITERATED HIS VIEW THAT THE SUPREME COURT SHOULD REVIEW ALL LOWER COURT JUDGMENTS IN NARCOTICS CASES, REFERRING OBLIQUELY TO THE PROBLEM OF CORRUPTION AT LOWER COURT LEVELS. ("IT IS WELL KNOWN THAT LAWS MUST BE APPLIED CONSISTENT WITH THE CULTURAL STATE OF A NATION".)

3. COMMENT: OBVIOUSLY OUR CONTRIBUTION DID NOT SERVE TO SWAY DURANGO'S MIND. ON THE OTHER HAND, THE GOE RECENTLY REORGANIZED THE JUDICIARY AND SHUFFLED THE SUPREME COURT. DURANGO IS NO LONGER ON THE COURT AND IT IS POSSIBLE THAT HIS PROPOSED REFORMS WILL NOT MOVE FORWARD WITHOUT RECONSIDERATION BY THE NEW CHIEF JUSTICE.

BLOOMFIELD

CONFIDENTIAL

NNN

## Message Attributes

**Automatic Decaptoning:** X  
**Capture Date:** 01 jan 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** SUPREME COURT, PRESIDENT, NARCOTICS, COURTS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 12 jan 1978  
**Decapton Date:** 01 jan 1960  
**Decapton Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 20 Mar 2014  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1978QUITO00186  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
**Expiration:**  
**Film Number:** D780019-0121  
**Format:** TEL  
**From:** QUITO  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1978/newtext/t19780172/aaaacikq.tel  
**Line Count:** 69  
**Litigation Code IDs:**  
**Litigation Codes:**  
**Litigation History:**  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Message ID:** 5c328be4-c288-dd11-92da-001cc4696bcc  
**Office:** ACTION ARA  
**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** CONFIDENTIAL  
**Previous Handling Restrictions:** n/a  
**Reference:** 77 QUITO 6569, 77 STATE 247726  
**Retention:** 0  
**Review Action:** RELEASED, APPROVED  
**Review Content Flags:**  
**Review Date:** 23 jun 2005  
**Review Event:**  
**Review Exemptions:** n/a  
**Review Media Identifier:**  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**SAS ID:** 3787816  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** EXCHANGE WITH SUPREME COURT PRESIDENT ON NARCOTICS  
**TAGS:** SNAR, EC  
**To:** STATE  
**Type:** TE  
**vdkgvgwkey:** odbc://SAS/SAS.dbo.SAS\_Docs/5c328be4-c288-dd11-92da-001cc4696bcc  
**Review Markings:**  
Sheryl P. Walter  
Declassified/Released  
US Department of State  
EO Systematic Review  
20 Mar 2014  
**Markings:** Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014